

E-FILED on 3/19/08

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

BMG MUSIC et al.,

Plaintiff,

v.

JOHN DOE,

Defendant.

No. C-07-06034 RMW

ORDER GRANTING EX PARTE  
APPLICATION FOR LEAVE TO  
TAKE IMMEDIATE DISCOVERY

[Re Docket No. 2]

Plaintiffs are granted leave to serve immediately a Rule 45 subpoena on the University of California, Berkeley that seeks information sufficient to identify Defendant John Doe, including the name, current and permanent address and telephone number, e-mail address, and Media Access Control address. Plaintiffs must serve a copy of this order on the University of California, Berkeley when they serve the subpoena.

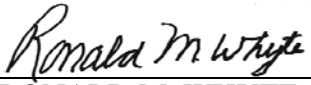
The disclosure of this information is ordered pursuant to 20 U.S.C. § 1232g(b)(2)(B). Any information disclosed to plaintiffs in response to the Rule 45 subpoena may be used by plaintiffs solely for the purpose of protecting plaintiffs' rights under the Copyright Act.

If and when the University of California, Berkeley is served with a subpoena, it shall, within five business days, give written notice to the subscribers whose identities are to be disclosed in

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MAG

1 response to the subpoena. Such written notice may be achieved by messages sent by electronic  
2 email. If the University of California, Berkeley or any defendant wishes to move to quash the  
3 subpoena, that party shall do so before the return date.

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6 DATED: 3/19/08

  
RONALD M. WHYTE  
United States District Judge

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United States District Court  
For the Northern District of California

1 **Notice of this document has been electronically sent to:**

2 **Counsel for Plaintiff:**

3 Matthew Franklin Jaksa matt.jaksa@hro.com

4 **Counsel for Defendant:**

5 No appearance

6  
7 Counsel are responsible for distributing copies of this document to co-counsel that have not  
8 registered for e-filing under the court's CM/ECF program.

9  
10 **Dated:** 3/19/08

11 /s/ MAG  
12 **Chambers of Judge Whyte**

United States District Court  
For the Northern District of California